

Planning application no.	18/01288/FUL
Site	60 Cadman Crescent Wolverhampton WV10 0SJ
Proposal	Change of Use to a House in Multiple Occupation (5 bed)
Ward	Fallings Park;
Applicant	Mr Martin Spence
Cabinet member with lead responsibility	Councillor John C Reynolds
Accountable Director	Richard Lawrence, Director of Regeneration
Originating service	City Planning
Accountable employee	Veronica Russell Planning Officer Tel 01902 552790 Email Veronica.Russell@wolverhampton.gov.uk

1.0 Summary recommendation:

1.1 Grant.

2.0 Application site

2.1 The application site is located within the Fallings Park area. The existing dwelling is a five-bedroom detached property. There is parking within the curtilage for two cars.

3.0 Application details

- 3.1 The application seeks planning permission for a Change of Use of an extended five-bedroom house to a five-bedroom House in Multiple Occupation (HMO). The property has already been converted and two people currently occupying the property which does not require planning permission.
- 3.2 On the ground floor there is a living room, a bedroom, a dining room, a kitchen, a shower room, two storage areas and an office. The first floor would provide a bathroom, a store room and four bedrooms.

4.0 Relevant policy documents

4.1 National Planning Policy Framework (NPPF)

The Development Plan:

Wolverhampton Unitary Development Plan (UDP) AM12, AM15, H6, and D10
Black Country Core Strategy (BCCS), ENV3

5.0 Publicity

5.1 Seven objections were received. Comments as follows:

- Parking impact;
- Does not want unknown people in the area;
- Does not want family home changed into an HMO as it is a residential area;
- Objecting to adults with learning difficulties;
- Fear of anti-social behaviour;
- Fear that residents will harass their children on the way home from school;
- Fear of potential unrest;
- Fear of negative property prices;
- Concerned that the HMO will house ex-offenders;
- Residents have young children and do not want the noise;
- Residents fear that the dwelling will be turned into a 'half way house'.

6.0 Consultees

6.1 Police No adverse comments.

6.2 Private Sector Housing – No adverse comments subject to conditions.

6.3 Transportation – No adverse comments subject to conditions.

7.0 Legal implications

7.1 There are no legal implications. [KR/05032019/B]

8.0 Appraisal

8.1 HMOs are a different class to a single dwelling house as they are different in character. HMO's can also provide much needed acceptable accommodation for people in housing need. HMO's can also give rise to anti-social behaviour and fear of crime because of their very nature, however when properly managed and designed these issues can be controlled. The City Council has addressed this with the introduction of an Article 4 Direction, requiring prospective applicants to submit a planning application where the applicant seeks an HMO for three or more persons and each application is then assessed on its merits. Matters for consideration are:

- i). Potential impact on highway safety.

- ii) Fear of crime, ensuring that the application will not undermine quality of life or community cohesion (National Planning Policy Framework paragraph 59). The creation of safe and accessible environments.
- iii). Impact on the character of the area. The character of the existing use and proposed use.
- iv) Potential for crime, evidence sought from the police and through neighbour consultations.

- 8.2 The proposed HMO would be situated in an area of other residential properties varying in style and no external changes are proposed to the building. The building is detached and the last in the street of semi-detached houses. The character of the area is residential, but the separation of this property from other buildings, its position at the end of the street and the ample space at the front of the property, mean that the use as a HMO, would not significantly alter the character of the area. Although HMOs are materially different from a family home, having individuals occupying rooms but will not cause an unreasonable negative impact on neighbour amenity in this case as the conversion has been carried out to high standard and there is a relatively high level of shared living space and amenity space available to residents.
- 8.3 Residents have expressed a fear of crime; however, the Police have no objections regarding the principle of the development and state that the proposal would not have a greater impact on the community than the existing five-bedroom house in this case. The number of residents will be restricted to five.
- 8.4 Private Sector Housing have no objections regarding the principle of the development and have stipulated residents be capped to five. The applicant has not applied for a HMO in Wolverhampton before but the application for housing registration under the Housing Act 2004 was of a high standard with all the rooms exceeding the minimum space standards.
- 8.5 Transportation have no objections regarding the principle of the development. The site is within a highly accessible location and the proposed HMO is unlikely to generate a significant increase in car parking demand or amount of vehicle trips when compared to the existing large five-bedroom dwelling.
- 8.6 Bins will be provided within the site and will be no more than a family home as an HMO is unlikely to cause significantly more waste than a single occupancy family dwelling in this case.
- 8.7 The ground floor office was a previous garage and is of single brick construction with no plans to change this, so it can be used by the landlord when visiting the tenants. A condition will prevent its conversion to a bedroom.

9.0 Conclusion

- 9.1 The proposed change of use of the property to an HMO is considered acceptable. The number of tenants occupying the proposed development would not change the character of the area or result in any significant harm to neighbour amenities in this case.
- 9.2 Neighbour objections were taken into consideration but there is little evidence that the proposal would cause an increase in fear of crime, actual crime or anti-social behaviour sufficient to undermine the quality of neighbour's amenity in this case. There would be no detrimental impact on highway safety. Therefore, the development is in accordance with development plan policies.

10.0 Detail recommendation

- 10.1 Grant application on the following conditions:
- Office must remain in use as an office in association with the permitted use of the property;
 - First floor store not used as a bedroom;
 - No more than five residents.
 - Cycle parking to be provided;
 - Bin store design;
 - Parking should be available at all times.
 - Remove permitted development rights for extensions

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